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Integrated and coordinated implementation of and follow-up to outcomes of the major United Nations conferences and summits in the economic, social and related fields

Globalization and interdependence

Follow-up to the outcome of the Millennium Summit

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of his Special Representative on Migration, Peter Sutherland, who has served in this role for more than 11 years. The report includes a forward-looking agenda for action and offers 16 recommendations for improving the management of migration through international cooperation.

The pioneering work of the Special Representative has helped to place migration and human mobility on the international agenda in ways that foster trust, cooperation and progress. The report is grounded in the same basic principles that have informed his tenure — above all, it is rooted in a profound belief in the dignity of every human being.

The recommendations presented by the Special Representative in his report were developed over the course of nearly two years and were enriched by the ideas of numerous experts, whose contributions are acknowledged in the annex to the report.

When the Special Representative fell seriously ill in September 2016, his recommendations were already well established. In the following months, the members of his drafting team worked closely with senior officials and experts of the Secretariat to see the report through its final stages.

In the end, the report remains a statement of the Special Representative's personal perspective on the topics addressed, presenting his road map for improving the governance of international migration.

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Report of the Special Representative of the Secretary-General on Migration

Summary

The present report, which was prepared by the Special Representative of the Secretary-General on Migration, makes recommendations for the better management of migration through international cooperation, and proposes ways of strengthening the engagement of the United Nations on migration, as noted by the General Assembly in its resolutions 70/302 and 71/1. While the report is addressed to Member States, it is offered as a contribution to all interested stakeholders. Drawing on the experience of the Special Representative on Migration, it is intended to inform the global compact for safe, orderly and regular migration, which Member States have committed to negotiate, beginning in early 2017, and which is to culminate in an intergovernmental conference on international migration in 2018, at which the global compact will be presented for adoption (resolution 71/1 annex II, para. 9). The report is organized in three sections: the introduction posits that, in the face of public concern, States will have a much better chance of reasserting control over who enters and stays on their territory if they work together, rather than unilaterally, thereby facilitating safe and legal migration, which is greatly preferable to migration forced underground. The second section sets out an agenda for action, resting on three sets of commitments, between States and migrants, among States, and between States and other stakeholders, and the following five policy priorities: (a) managing crisis-related movements and protecting migrants in vulnerable situations; (b) building opportunities for labour and skills mobility; (c) ensuring orderly migration, including return; (d) fostering migrants' inclusion and development; and (e) strengthening migration governance capacities. The final section lays out 16 recommendations on how willing coalitions of States, working with other stakeholders, can begin to tackle these priorities and gradually broaden the consensus on what a functioning international architecture for migration should look like in 2018 and beyond.

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I. Introduction

1. Without migration, societies worldwide would never have achieved their current level of development. So it is neither surprising nor regrettable that in our time, when the human race has doubled its numbers in half a century, while travel and communications have become faster and easier, people are moving from country to country in ever greater numbers. Not only millions of individuals but whole societies in all parts of the world have thus been transformed. As development advances over the coming decades, more people will want to migrate, and will have more options to do so.[1] Many different factors influence their decisions, which makes it hard to predict who will move, when, or where. Yet the structural factors driving migration, demographic imbalances, economic inequalities, conflict, disasters and the impacts of climate change, are all likely to persist, if not intensify. These trends will not be reversed any time soon. Migration is here to stay.

2. That reality is something we should recognize and plan for. Migrants make an important contribution to their new homeland: they do jobs that are needed, pay taxes and often bring new ideas, which make for a more diverse and dynamic society. International migrants also contribute to their countries of origin. Generally, from soon after their arrival, they start sending money back to their families, more than half a trillion dollars in 2016, monies that build human capital and, when invested productively, can create wealth. Among those migrants who remain abroad and succeed, some become investors in their countries of origin, bringing not only capital and trade, but ideas, skills and technology, thus enabling those countries to become more integrated into the global community.

A. Real problems, and how to solve them

3. These, however, are broad generalizations. While the benefits of migration are tangible, they can take time to materialize, while many of the associated costs appear upfront. And inevitably there are individuals, sometimes large social groups, for whom migration is harmful. Their concerns can and must be addressed, not brushed aside. This requires an effort not only from Governments but from society as a whole. Rather than playing on fears or exaggerating problems, we need to identify those problems systematically, and look for practical solutions.

4. Above all, it is in everyone's interest for migration to happen safely and legally, in a regulated rather than a clandestine way. The latter not only exposes other workers to unfair competition, provoking resentment and lowering overall standards of welfare, safety and public health, but also puts migrants at the mercy of unscrupulous employers and traffickers, who may subject them to the worst abuses, sometimes described as "modern slavery", which is abhorrent to all mankind.

5. Sadly, what has made this subject so topical in recent years is the unregulated movement of large numbers of people driven from their homes by war and brutal oppression, and also by natural disasters, hunger and economic collapse. Their

[1] Michael A. Clemens, "Does Development Reduce Migration?", Institute for the Study of Labor, Discussion Paper No. 8592, October 2014 (http://ftp.iza.org/dp8592.pdf).

spontaneous arrival has been met by increasingly hostile public reactions, driven by the feeling that countries have lost control of their borders. Governments have to respond, and often they do so in a defensive way, building (or promising) walls and insisting on their sovereign right to decide migration policy as a purely national issue, without interference from others. Nevertheless, when migrants cross national borders[2] migration also becomes an international issue. States can and must help each other, working together both on the regional level and as a global community.

6. Forced migration and flows of refugees are perhaps the most difficult challenge to the international community. We have a duty to: (a) address the root causes of forced migration; (b) relieve the terrible suffering of those forced to leave their homes; and (c) find solutions to their plight. On all three fronts, individual States and the United Nations have been failing. Over the past year, 2016, a great deal of energy was devoted to efforts to improve the global response, notably through a series of high-level international meetings.[3] Rightly, the issue of large movements of refugees and migrants is at the top of the current political agenda. But we must not let it blind us to the continued importance of regular, organized migration, whether for work, study or family reunification.

7. The United Nations, the primary forum where States can work together to forge political consensus on norms and standards of international behaviour, has an important role to play. The Organization brings humanitarian relief to those in need and can assist Member States in developing and implementing policies that respond to and affect migration; it helps develop institutional capacities; and it collects and analyses data, including data on population size and movements.

8. That is why, in 2005, the then Secretary-General Kofi Annan appointed the first Special Representative on Migration, who was mandated to work to ensure that migration received the political attention that it deserved, and to help Member States adopt approaches that benefit not only migrants but also the countries from which, to which and through which they move. For 11 years, I have had the honour to serve in this role, while the issue has become more and more prominent on the international agenda and in public debate.

B. Where things stand ...

9. Much progress has been made over the last two decades: States have gained a better understanding of migration dynamics and policy options, and are more

[2] While much migration takes place within nation States, especially large ones, the present report focuses on international migration.

[3] These included: the "Supporting Syria and the Region" conference, held in London on 4 February 2016; the Solutions Alliance Roundtable, held in Brussels on 9 and 10 February 2016; the ministerial-level meeting of the Office of the United Nations High Commissioner for Refugees (UNHCR) on Pathways for Admission of Syrian Refugees, held in Geneva on 30 March 2016; the Forum on new approaches to protracted forced displacement, held at Wilton Park, United Kingdom, from 4 to 6 April 2016; the World Humanitarian Summit, held in Istanbul, Turkey, on 24 and 25 May 2016; the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, held in New York on 19 September 2016; and the Leaders' Summit on the Global Refugee Crisis, hosted by the United States of America at United Nations Headquarters in New York on 20 September 2016.

willing to discuss the issue in intergovernmental forums, thanks to the trust and confidence built through successive high-level dialogues at the United Nations and informal dialogues at the Global Forum on Migration and Development; and today non-state actors are more willingly accepted as partners. There have been advances in norm-setting, such as the adoption of the Domestic Workers Convention by the International Labour Organization in 2011, and the development of guidance by and for States in various areas of migration management. Moreover, in 2016, the International Organization for Migration (IOM) joined the United Nations system, a step that until quite recently was unthinkable, but is long overdue, and which should strengthen both IOM and the United Nations and benefit migrants.

10. In 2015, the leaders of all States Members of the United Nations adopted General Assembly resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which contains a set of universally applicable commitments (including the Sustainable Development Goals and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development) for improving the lot of people and the planet, to be achieved by 2030. As an overarching principle, the Sustainable Development Goals posit that States have a collective interest and responsibility to ensure that the most vulnerable people and populations, including migrants and refugees, are not left behind by economic, social and environmental progress. Under one specific Goal, in target 10.7, States committed themselves to cooperate to "Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies".

11. Unfortunately, States tend to have quite different conceptions of what "well-managed migration" means in practice. Some would like it to mean more migration; others, no migration at all. Nonetheless, all interpretations must stay true to the spirit of the 2030 Agenda.

12. On 19 September 2016, world leaders gathered at United Nations Headquarters at the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants. In the New York Declaration for Refugees and Migrants[4] adopted as the outcome document of the meeting, States recognized the need to strengthen international cooperation on migration and initiated a two-year process for developing two global compacts: a global compact on refugees; and a global compact for safe, orderly and regular migration,[5] the latter to be presented for adoption at an intergovernmental conference to be held in 2018. This gives States two years to clarify their responsibilities to each other and towards migrants as they seek to implement the 2030 Agenda. If ambition carries the day, as I hope it will, they will use the global compact to set standards in key areas of migration governance, which they would pledge to respect and, wherever possible, surpass, in national policies and bilateral and regional agreements.

[4] Resolution 71/1.

[5] In the present report, the global compact for safe, orderly and regular migration is sometimes referred to as the "global compact on migration" or the "global migration compact".

C. ... and where they need to go

13. The next two years must be used constructively to find just and practical solutions to the problems that all States face. The process of negotiating the global compact for safe, orderly and regular migration should involve all relevant branches of government, not only those that deal with international and development cooperation, but also interior ministries, which often have the last word in matters of migration policy. The many non-governmental actors who help to shape migration today must also be allowed to participate in framing the compact so that it will also be their compact, which they too have a responsibility to fulfil.

14. Above all, I urge all Member States, and indeed all parties with a role to play in migration processes, not to delay taking action, but to form coalitions now to advance shared priorities. By enlarging the circle of those who have an active stake, we will better our chances of making the global compact the effective guiding framework for migration policy that it needs to be. I offer the present report, with its 16 detailed recommendations, as a road map to help States and their partners reach that goal.

II. Agenda for action

15. The road map I present in this report revolves around three essential relationships that States will need to clarify and strengthen to better govern migration. I propose an agenda for action that rests on commitments between States and migrants, between States reciprocally, and between States and other stakeholders. These commitments must be embedded in the wider social contract between States and their citizens, the key tenets of which, access to a legal identity, health, housing, life-long learning, decent work, gender equality, a clean environment, accountable institutions and a peaceful society, are laid out in the 2030 Agenda. Especially at the present time, when rising inequality has frayed the bonds of solidarity within societies, leaving large sectors of the population behind, fulfilling the migration-related Goals of the 2030 Agenda must go hand-in-hand with realizing wider progress for all of society.

16. I see five policy priorities that States and stakeholders will need to tackle to deliver on the key migration-related promises of the 2030 Agenda: (a) managing crisis-related movements and protecting migrants at risk; (b) building opportunities for labour and skills mobility; (c) ensuring orderly migration, including return; (d) fostering migrants' inclusion and development; and (e) strengthening migration governance capacities.

17. Together, these three sets of commitments and five policy priorities form the "scaffolding" on which I suggest international cooperation and a global compact on migration could be built by 2018. Like any scaffolding, it is far from complete, but it is meant to provide orientation, structure and a sense of what is possible.

A. Commitments of States towards migrants

18. States have obligations towards migrants and refugees that they must implement under existing international law. In addition, they have all signed the politically binding commitments contained in the outcome documents of the United Nations High-level Dialogue on International Migration and Development (2013),[6] the 2030 Agenda and the New York Declaration. Some commitments, notably the promise to facilitate orderly, safe, regular and responsible migration, need to be more clearly defined before they can be meaningfully implemented. In an ideal world, migration should be undertaken out of choice. Given that often this is not the case, States need sound policies that: (a) protect migrants; (b) give them the chance to migrate legally and safely; and (c) ensure that, once they have emigrated, they can play a full part in the society and economy they have joined.

Protection

19. The most essential and urgent task is to clarify the responsibilities of States towards migrants who are in vulnerable situations and may not be able to return home, but do not qualify for protection under the 1951 Convention relating to the Status of Refugees.[7] States need to overcome the facile binary approach that treats refugees as "good" (i.e. deserving help because they are forced to leave their country and deprived of its protection) and irregular migrants as "bad" (because they have made their own decision to move, without due regard for legal process). Reality is far from being so clear-cut and there is a large grey area between those who flee literally at gunpoint and those whose movement is entirely voluntary.

20. States have shown that they can be quite nimble in working around the letter of the Convention relating to the Status of Refugees, sometimes by expanding its scope: for instance, war refugees are now generally given protection without having to prove that they face a threat of persecution as individuals, although the protection they receive often comes with restrictive conditions, such as having to live in camps, and sometimes being sent home prematurely, before it is really safe to return. On the other hand, people who do not qualify for political asylum but are vulnerable for other reasons, such as illness, may often be allowed to stay, and victims of natural disasters are sometimes given temporary protection so that they can escape devastation and support recovery efforts in their home country from abroad.

21. This flexibility should continue, but we need to go further and to reach a strong international consensus on what kind of protections States owe to migrants when their Governments are unable or unwilling to protect them from crises and life-threatening circumstances, including State failure, generalized violence that has

[6] Resolution 68/4.

[7] Article 1 of the 1951 Convention relating to the Status of Refugees defines a refugee as a person who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it." (www.unhcr.org/en-us/3b66c2aa10).

not risen to the level of armed conflict or the effects of climate change. There are building blocks in the form of existing guidance elaborated by States, such as the draft Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster[8] and the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change (the Protection Agenda), advanced by the Nansen Initiative,[9] which was developed through a series of regional consultations on how to protect people fleeing natural disasters. The Global Migration Group's non-binding guiding principles and guidelines on migrants in vulnerable situations form another useful contribution.[10]

22. The international community also needs to make sure that protection commitments translate into actual assistance to people who need it, whether they are trapped in countries in crisis, stuck in transit or on dangerous journeys. International organizations should help States strengthen their consular services and operate a global network of assistance centres for migrants, including those in such situations. In particular, States must provide a continuum of care and support for all unaccompanied and separated migrant children, including child victims of trafficking, to ensure they have access to key services, family tracing and well-functioning, professional guardianship systems.

Opportunity

23. States have no obligation to open their borders to all migrants, but they do have an interest in seeing migration occur legally and safely, with respect for the human rights of migrants. To achieve this, each Government needs to work out, and articulate clearly, on what terms it will allow migrants to enter, stay and work or how it will facilitate their departure and return, in other words, its migration policy.

24. Not all migrants need be admitted on a permanent basis. Many may want to earn money for a time and then return to their home countries. Others can be given incentives to repatriate after an agreed work period, for instance by making a share of their wages contingent on return, or by offering them the chance to re-enter after spending a period at home. Letting people move back and forth between a poorer country and a richer one, also referred to as circular migration, is in fact a very effective way of reducing poverty.

25. But simply letting people in, or encouraging them to find work abroad, is not enough. They need to be able to move at an affordable cost, and to live and work under acceptable conditions. High upfront fees make it difficult for poor people to migrate, leading some to borrow money at exorbitant rates, leaving them vulnerable to exploitation and human trafficking. Too often, corrupt officials profit in the process, undermining State authority and the trust of citizens in the functioning of State institutions and in their ability to uphold the law. Countries of origin and destination also have an interest in ensuring that migrants have the right skills to do the jobs available, and that their skills are recognized, otherwise employers and

[8] See Migrants in Countries in Crisis Initiative (micicinitiative.iom.int/sites/default/files/document/MICIC_Guidelines_english_web_13_09_2016.pdf).

[9] See https://www.nanseninitiative.org/protection-agenda-consultation/.

[10] Global Migration Group, "Principles and guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations within large and/or mixed movements" (www.ohchr.org/Documents/Issues/Migration/PrinciplesAndGuidelines.pdf).

migrants lose out, productivity is reduced and migration policy is undermined. Similarly, if the rights and dignity of migrant workers are not respected, not only they but also local workers suffer, sometimes finding themselves excluded from whole sectors of employment where minimum standards of pay and conditions of work are not applied.

Inclusion

26. With the 2030 Agenda, Member States have pledged to leave no one behind, including migrants and refugees. Migrants whose rights are respected, who enjoy a decent standard of living and who can apply their skills contribute more to their countries of destination and to their countries of origin. States thus have both an obligation and an interest in ensuring that migrants' rights are protected, for instance the right to be paid a fair wage, to have a legal identity and to send their children to school. But States can only offer migrants genuine opportunities if society as a whole welcomes them and is willing to invest in making migration a success. Much depends on whether societies see migration as essentially a short-term economic transaction, or as a way to acquire new citizens. It is vital therefore, that in planning their migration policy national Governments involve other parties with a stake in the outcome, including parliaments, local governments, employers, trade unions, immigrant community leaders, youth organizations, schools and universities.

27. One of the main problems with accepting newcomers is that it tends to generate costs upfront, while benefits come later on.[11] Furthermore, the costs are often unequally distributed, with some parts of the workforce (usually less skilled workers and recent immigrants) and some neighbourhoods more affected than others. Additionally, some people, perhaps especially older people, for whom the sheer pace and scale of change may be bewildering, may begin to feel like a minority in their own country. States can alleviate these concerns by actively compensating those in danger of losing out, for example, by retraining and supporting unemployed workers or those threatened with unemployment, and expanding public services in affected communities. Governments should require and help immigrants to learn the national language (or languages). They may also withhold some rights from migrants whose stay is temporary, reserving further rights and privileges for those who become long-term residents or citizens. However, "temporary" labour migrants must not be allowed to become part of a permanent underclass. Anyone who is allowed to remain in the country for more than a specified time must also be allowed access to permanent legal status.

[11] For example, a 2016 study carried out by the Organization for Economic Cooperation and Development (OECD) on integration in Sweden, where 16 per cent of the population is foreign-born, shows that while the labour market outcomes of recently arrived refugees are lacklustre, they improve over time. The children of immigrants are generally well integrated, despite the challenges faced by their parents. It concludes that Sweden's integration policies are working, but results take time to materialize. See *Working Together: Skills and Labour Market Integration of Immigrants and their Children in Sweden*, OECD Publishing, Paris (www.oecd.org/sweden/working-together-skills-and-labour-market-integration-of-immigrants-and-their-children-in-sweden-9789264257382-en.htm). For a comprehensive review of evidence on the impacts of immigration in the United States of America, see National Academy of Sciences, *The Economic and Fiscal Consequences of Immigration*, National Academies Press, 2016 (www.nap.edu/catalog/23550/the-economic-and-fiscal-consequences-of-immigration).

28. Accepting immigration involves costs to Governments, but so does refusing it. Countries that do not acknowledge their reliance on migrant labour, for example by creating legal avenues through which people may apply for entry, end up encouraging unauthorized migration. Nations that fail to recognize that they have become countries with significant migrant populations that are there to stay may later find that they have problems with the children and grandchildren of immigrants, who feel they are treated as outsiders despite the fact that they are native born. Furthermore, ageing societies that refuse to welcome new people may face economic stagnation.

B. Commitments between States

29. By including a number of migration-related targets in the 2030 Agenda and adopting the New York Declaration, Member States have begun to acknowledge that managing international migration is a shared responsibility, which they must work together to discharge. I see four areas in particular where States need to cooperate in order to make good on their commitment to facilitate migration that is safe, regular, orderly and responsible:

Crisis migration

30. States must agree on how to address large crisis-related movements, not only to save people on the move from certain death or suffering, but also to avoid the corrosive effect that ad hoc responses have on our political institutions and the public's trust in them. Sadly, despite examples of successful regional solutions,[12] States have so far failed to find a sustainable answer to this problem. As migrants have scrambled to reach safety in different parts of the world, the response from States has too often been a "race to the bottom", focused on deterring migrants by violating and restricting their rights.

31. The model that is now emerging is that some States are helping to prevent migrants from moving to developed countries either by agreeing to keep their doors open, or to quietly deter and detain them in exchange for greater development and economic assistance. While some such arrangements may be needed as part of a broader compact, deterrence is not a sustainable solution. Forcing people back into transit countries usually has ripple effects down the line: people are returned to countries that are unsafe, or prevented from leaving them in the first place. Such policies undermine respect for human rights and place further strain on already fragile States, thereby running the risk of weakening the collective security of all States.

32. States have acknowledged, in the New York Declaration, that they can only hope to curtail irregular migration, with all its attendant risks, if they provide alternative, legal pathways for migrants. To do this, they must work together,

[12] There have been several regional responses to refugee and migratory crises, including: the Comprehensive Plan of Action for Indochinese Refugees (1989-1997); the International Conference on Central American Refugees, which supported livelihood opportunities for refugees and internally displaced persons and host communities (1987-1994); and the Commonwealth of Independent States Conference on Refugees and Migrants, which addressed involuntary population movements (1993-2005).

including by enlisting the help of civil society and the private sector. Facilitated and free movement regimes within regions can make it easier for people to leave countries in crisis legally and safely.[13] But States have also pledged to reach a common understanding at the global level on who needs international protection, and to embody this in guiding principles on migrants in vulnerable situations. These may in time develop into a global "soft law" framework, which in turn can serve as a basis for more formal and binding legal instruments at the global, regional and national levels. Meanwhile, States urgently need to equip themselves to provide better protections for people on the move and ensure that they are properly identified and received.

Labour and skills mobility

33. The fundamental problem, with which any current effort at governing migration must grapple, is that there are many more people who want to migrate, especially young, low-skilled people, than there are opportunities for them to do so in a safe, regular and orderly way. Many developed and developing countries struggle to employ their youth. Yet, while States in all parts of the world seek to attract skilled and/or wealthy migrants, few opportunities exist for those less skilled. Young people, including university graduates, often lack the foreign language and technical skills employers are looking for, or their skills may not be recognized in another country because of different education, training and certification systems.

34. Demographic imbalances between different parts of the world will intensify, most prominently between countries in Africa, with a young population that is expected to double to 2.4 billion people by 2050, and an ageing and shrinking citizenry in countries in Europe, which is projected to lose about 30 million of its total of 738 million people by that time. It should, therefore, be a shared priority, for both States that need labour and those trying to create opportunities for their youth, to equip more people who would like to migrate with the skills they need to find legal employment abroad, and to ensure that those skills are transferable across borders, while at the same time redoubling efforts to create jobs and opportunities at home.[14]

35. At present, the migrant workers best placed to move safely and legally are those entitled to freedom of movement within a region, such as the within the countries of the European Union and MERCOSUR. Such agreements require a high degree of coordination and harmonization among the participating States, all of

[13] In at least two cases, i.e. refugees from Liberia and Sierra Leone within the countries members of the Economic Community of West African States (ECOWAS) and displaced persons from Colombia within in the countries members of the Southern Common Market (MERCOSUR), existing free movement protocols have been formally used to facilitate labour migration of refugees. In the European Union, regional free movement has been a safeguard for citizens of countries undergoing economic crisis (e.g. Greece and Spain). Bilateral trade agreements, including favourable labour market access, have been used to similar effect, e.g. between South Sudan and Uganda, and between the Sudan and Egypt See: Katy Long and Sarah Rosengaertner, "Protection through Mobility: Opening Labour and Study Migration Channels for Refugees", Migration Policy Institute, October 2016 (www.migrationpolicy.org/research/protection-through-mobility-opening-labor-and-study-migration-channels-refugees).

[14] See Addis Ababa Action Agenda of the Third International Conference on Financing for Development, resolution 69/313, annex, para. 111.

which need to have confidence in each other's standards and national institutions. Different regions have made varying degrees of progress in this direction, usually starting with making movements easier for the highly skilled.[15] Lower-skilled workers generally have to rely on channels offered unilaterally by the receiving State, or under bilateral agreements.[16] Our goal should be to harmonize conditions for migrant workers across corridors and skill levels, and to make it easier for States to negotiate and implement agreements on labour migration, based on global model agreements and supported by ongoing policy dialogue with employers and other relevant stakeholders.

36. Managing labour movements through bilateral and regional agreements would allow destination countries to control who enters and under what conditions, while also making labour supply more predictable and giving countries of origin a stronger incentive to cooperate in curbing irregular migration and facilitating the return of their nationals.

Orderly migration, including return

37. A continued priority for States will and should be to improve cooperation on reducing irregular movements and dismantling criminal networks that have made a business out of smuggling migrants or trafficking people, exploiting their desperation and their search for a better life. As public pressure to be tough on "illegal immigration" mounts, States should, however, heed the lessons learned from fighting other forms of illicit trade and avoid the criminalization of victims and the reliance on border and law enforcement alone. Bilateral, regional and interregional partnerships and cooperation platforms on migration can provide valuable ways to build trust and capacities. The United Nations also has an important role to play in ensuring that State practices and cooperation with regard to irregular migration, human trafficking and migrant smuggling are guided by and adhere to international law, including human rights and refugee law, and that they do not undermine the right to seek asylum.

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[15] Some regional integration agreements allow for the mobility of persons (not only workers) in general (e.g. the European Union and ECOWAS), while others provide for the free mobility of labour in general (e.g. MERCOSUR) or of certain types of labour, usually higher skilled workers (e.g. Association of South-East Asian Nations (ASEAN), the North American Free Trade Agreement (NAFTA) and the Caribbean Community (CARICOM)). Other agreements are limited to offering simplified procedures for entry and temporary stay related to trade and investment activities (e.g. the Asia-Pacific Economic Cooperation (APEC) Business Travel Card). See: IOM Background Paper, International Dialogue on Migration, Intersessional Workshop on "Free Movement of Persons in Regional Integration Processes", 18 and 19 June 2007 (https://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/microsites/IDM/workshops/free_movement_of_persons_18190607/idm2007_backgroundpaper_en.pdf).

[16] Such agreements come in the form of employment treaties, labour agreements, recruitment treaties, migration agreements and agreements for the exchange of labour. They can take the form of intergovernmental agreements, protocols of agreements, memoranda of understanding, memoranda of agreement and national policy regulations. Bilateral agreements set out each country's commitments, which may include quotas and the length of stay. See Sebastián Sáez, ed., "Let Workers Move: Using Bilateral Labor Agreements to Increase Trade in Services", Directions in Development (Washington, D.C., World Bank, 2013) (https://openknowledge.worldbank.org/bitstream/handle/10986/15800/786840PUB0EPI10Box0377351B00PUBLIC0.pdf;sequence=1).

38. Return, readmission and reintegration are essential elements of a well-ordered migration system. When migrants do not have the legal right to remain in a country of destination, whether because they arrived or stayed irregularly, because their legal stay was on a temporary basis (e.g. as a seasonal worker), or because, after a fair hearing, their application for asylum has been denied, it is within each State's discretion to remove such people from its territory. When this happens, countries of origin have an obligation to recognize and admit their nationals as part of their duty to their citizens, and out of respect both for migrants' human rights and for the principle of reciprocity of obligations among States.

39. Nevertheless, when sending people back to their countries of origin becomes the primary goal of countries of destination, negotiations with the former can easily descend into a standoff, or an exercise of mutual blackmail. Furthermore, making unrelated areas of cooperation, such as trade and development aid, contingent on a country's cooperation with regard to the return and readmission of migrants is short-sighted and wrong, and may actually strengthen some of the underlying drivers of irregular migration. More open and frequent communication between countries is needed in order to foster understanding of the differing interests of both sides and arrive at compromises that can be respected by all sides.

40. States should work towards an agreement on guiding principles in this area, including better monitoring of returns and of how migrants fare after being returned. This should help improve reintegration assistance so that it fits with national and local development planning and responds to the needs of the communities to which migrants are being returned. In this way, money spent on reintegration is more likely to have the intended effects.

Governance capacities

41. Good governance of migration is simultaneously built from the bottom up and from the top down: from equipping local governments with the necessary prerogatives and resources for integrating newcomers, to designing international forums and partnerships that can facilitate policy coordination and convergence in critical areas. Progress is likely to hinge on the involvement of those directly affected and those responsible for policy implementation, while reaching agreement on common minimum standards, principles and approaches that should apply across the board. The latter provides predictability for inter-State cooperation, based on clearly articulated mutual expectations and responsibilities, and for migrants, whose rights must be protected wherever they happen to move in the world.

42. What is in the collective interest, and well-managed migration clearly is, should also be collectively funded. All States Members of the United Nations have agreed to a set of shared priorities in the 2030 Agenda (2015) and in the New York Declaration (2016). If all States and regions are to deliver on these, many will need help. In the area of trade policy, this has been done through a specific "funding envelope" known as Aid for Trade. In the area of climate change, there is an elaborate system of financing mechanisms to support adaptation and mitigation in developing countries. Similarly, we need a dedicated financing facility to support capacity development for the implementation of migration-related international commitments. Among other advantages, such a mechanism would make it easier to ensure that financial contributions from non-state actors such as business and

philanthropy complement and are aligned with the efforts made by Governments, development banks and the United Nations system.

C. Commitments between States and other stakeholders

43. States are not the only decision makers on migration. Family ties, diaspora networks and the private sector are driving much of international migration. Communication technologies and both legitimate and illicit intermediaries help migrants plan their journeys across international borders. Civil society has been a great source of hope. In the face of widespread hostility towards migrants and refugees, private citizens, non-governmental organizations and businesses are responding with an admirable display of solidarity and mobilization, including: the rescue of people at sea; help with the reception and integration of refugees and migrants in local communities, including the hosting of migrants and refugees in private homes; legal aid, so that migrants can claim and defend their rights; as well as translation services, language learning and training and internship opportunities.

44. Governments, including local authorities, who are often at the forefront of integrating new arrivals, can and must harness the outpouring of voluntary activism over the long-run by putting in place the necessary support structures and partnerships. This should include support for more systematic exchanges and peer-learning among local governments, as well as inclusive policy coordination processes at the national level to ensure that relevant stakeholders have a say in the formulation of migration-related policies. At the global level, successful public-private alliances, such as Gavi, the Vaccine Alliance (formerly the Global Alliance for Vaccines and Immunization), can serve as inspiration.

Protection

45. A priority for State-civil society cooperation should be expanding opportunities for citizens to support refugees and people trapped in countries in crisis directly, including through private and community sponsorship initiatives. Not only will this make it possible for more people to move legally to a place of safety, it can encourage a broader shift in public attitudes towards newcomers by giving communities in the host society a sense of agency, allowing them to take initiative and responsibility as a community, rather than seeing themselves as passive recipients of an influx of strangers.

Opportunity

46. Another priority is organizing a multi-stakeholder effort to develop young people's skills at all levels, ensuring that they are in line with employer demands and are recognized across borders. This will require partnerships not just between national Governments but also, inter alia, with local and regional authorities, employers and trade unions, and with education and training institutions and professional associations that govern licensing requirements. I propose a global multi-stakeholder platform on skills and mobility for employment to foster such partnerships and to facilitate learning and convergence of policy and practice across countries.

Inclusion

47. More systematic engagement with technology companies and entrepreneurs, who have already developed innovative ways of providing migrants with access to information, services and learning opportunities, is critical to the promotion of migrant inclusion. Partnerships where technology has a critical role to play should be encouraged, including the exploration of ways to give migrants access to proof of legal identity, cheaper ways of sending money home and financial education and services.

III. Recommendations

48. In this section, I present my 16 detailed recommendations, which seek to make practical suggestions on how States, with the help of others, can advance the above agenda for action, starting now, in order to arrive at a global migration compact in 2018 that will tangibly improve their collective handling of international migration; deliver on the 2030 Agenda; and improve outcomes for migrants, their families and the communities in which they live.

A. Managing crisis-related movements and protecting migrants at risk

Recommendation 1
Develop global guiding principles on migrants in vulnerable situations, including migrant children

49. As Member States requested in the New York Declaration for Refugees and Migrants (resolution 71/1, para. 52), I pledge my full support for the development of guiding principles on the treatment of migrants in vulnerable situations, including the protection of migrant children in such situations.

50. I propose that this effort start now, by the commissioning of an independent expert panel that will: (a) develop a working definition of "migrants in vulnerable situations"; (b) provide an overview of the applicable international legal frameworks and non-binding instruments; and (c) identify where protection gaps currently arise in law and in practice.

51. With those findings in hand, States should embark now, in 2017, on a set of regional consultations, where possible in conjunction with their preparations for the global migration compact. These consultations should identify gaps in regional protection frameworks and propose ways to address those gaps. Ideally, the guiding principles will be adopted as part of the global compact on migration in 2018.

52. I further call on States and other stakeholders to act on their international legal obligations towards migrant children by:

(a) Developing standards for the treatment of unaccompanied and separated children, based on the "Safe and Sound" guidelines developed by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations

Children's Fund (UNICEF) in 2014[17] to help States in Europe fulfil their child protection responsibilities. I encourage UNICEF and UNHCR to develop such guidelines for other regions of the world by 2018[18] for inclusion in the guiding principles on migrants in vulnerable situations;

(b) Ending the detention of migrant children and their families for reasons of their migration status,[19] drawing on the work of the Inter-Agency Working Group to End Child Immigration Detention to help States adopt rights-focused care alternatives to detention.[20]

Recommendation 2
Expand access to consular protection and assistance in transit

53. Migrants, regardless of their nationality, should have access to quality consular protection and assistance in transit. I call on States, in cooperation with IOM, as needed, to:

(a) Establish a technical assistance programme, in coordination with the State-led Global Consular Forum,[21] to help States build their consular capacities; promote arrangements for providing consular services collectively, where individual States lack capacity;[22] and develop a model agreement on consular assistance between migrant countries of origin and destination;

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[17] UNHCR and UNICEF, *Safe & Sound: What States can do to ensure respect for the best interests of unaccompanied and separated children in Europe*, October 2014.

[18] Other tools include the Separated Children in Europe Programme, Statement of Good Practice, March 2010, 4th Revised Edition (http://www.separated-children-europe-programme.org/images/18/219.pdf). Efforts are under way to make this document also applicable to regions outside Europe.

[19] The Convention on the Rights of the Child holds that the detention of a child may only ever be used when it is found to be in the best interests of the child. In February 2013, the Committee on the Rights of the Child argued that such detention is never in the child's best interest. This has now been supported by an overwhelming number of United Nations treaty bodies and special procedures and a growing body of jurisprudence (for example, Inter-American Court for Human Rights, Rights and Guarantees of Children in the Context of Migration and/or in Need of International Protection, Advisory Opinion OC-21/14, 19 August 2014). Ending the detention of children is also an explicit aim of the UNHCR global strategy "Beyond Detention" to support Governments to end the detention of asylum-seekers and refugees (2014-2019) (http://www.unhcr.org/53aa929f6.pdf). In the New York Declaration, States committed themselves to "work towards the ending of this practice" (Resolution 71/1, para. 33).

[20] Such efforts should also draw on the good offices of the Special Rapporteur of the Human Rights Council on the human rights of migrants.

[21] The Global Consular Forum is an informal grouping of 35 countries that sprang from the forum on contemporary consular practice, held at Wilton Park in September 2013. The Forum meets biennially at a senior officials-level to discuss a range of consular challenges, including as they relate to migrant workers and diaspora relations (http://globalconsularforum.com/mission-overview/).

[22] Examples of such consular cooperation include the sharing of consular services among States members of the Commonwealth; the co-location of consular services by France and Germany; and shared consular coverage among States members of the European Union. See, George Haynal, Michael Welsh, Louis Century and Sean Tyler, "The Consular Function in the 21st Century: A report for Foreign Affairs and International Trade Canada", Munk School of Global Affairs, University of Toronto, 27 March 2013.

(b) Build a network of migrant assistance centres along major transit migration routes[23] that would identify the needs of migrants in transit as early as possible, provide migrants with information on safety issues along migratory routes, inform them about their rights, obligations and entitlements in countries of transit and destination and expand migrants' access to social, health and legal services.

Recommendation 3
Expand legal pathways for people fleeing countries in crisis

54. With a record number of deaths in the Mediterranean alone in 2016, our goal must be to offer alternatives to the dangerous routes that migrants currently rely on to reach safety. We must also undercut the criminal networks that thrive on their smuggling, abduction and exploitation. I call on States to expand the use of humanitarian admissions and legal migration opportunities for study, work and family reunion so as to help people fleeing countries in crisis move safely and promptly to places where they can be protected.

55. In particular, States should:

(a) Establish in-country processing for resettlement or humanitarian visa programmes, allowing those who face an immediate threat to be resettled without the need for taking dangerous routes to flee their country (see para. 57 (c) below);

(b) Pledge funds for the newly created Emerging Resettlement Country Joint Support Mechanism, led by IOM and UNHCR, which provides technical and financial support to countries that are willing to offer humanitarian access to their territory, but may not be able to sponsor those seeking protection;

(c) Scale up and develop programmes for privately sponsored resettlement, taking inspiration from the Canadian private sponsorship model for refugees, which the Government of Canada, in partnership with UNHCR and the Open Society Foundations, is offering to help replicate in other countries;[24]

(d) Make use of temporary work visas and seasonal worker programmes in responding to natural disasters and the effects of climate change.[25] Some countries provide short-term visas for citizens from countries affected by natural disasters. By sending back remittances, these migrants can contribute to the recovery of their

[23] Such a network could be modelled on existing good practice such as that followed in Mexico, where several United Nations entities (IOM, UNHCR, the United Nations Development Programme (UNDP), UNFPA, UNICEF, the United Nations Office on Drugs and Crime (UNODC), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the World Trade Organization (WTO)) supported by the United Nations Trust Fund for Human Security have been working with national and local authorities, civil society, and migrants, to develop a comprehensive framework for the safety of migrants in transit, including engagement of the communities they move through (http://www.un.org/humansecurity/country/mexico).

[24] See http://www.cbc.ca/news/politics/private-refugee-sponsorship-soros-un-1.3769639.

[25] For example, after the Haiti earthquake the United States made Haitians eligible for its H-2 temporary work visas (http://www.cgdev.org/initiative/migration-tool-disaster-recovery); Australia's Seasonal Workers programme and New Zealand's Recognized Seasonal Employer programme, by way of creating temporary work opportunities for Pacific Islanders affected by the impacts of climate change, may indirectly contribute to household adaptation on the islands involved (www.icesi.edu.co/revistas/index.php/precedente/article/view/1724).

home countries. Such programmes could also be used pre-emptively to assist people whose livelihoods are threatened by the effects of climate change, such as rising sea levels or desertification.

56. The United Nations should use the convening power of the Secretary-General to engage universities and academic networks, technical and vocational training providers, States and private foundations to expand scholarships and student visas for higher education and vocational training for students from countries in crisis by helping to map and coordinate current scholarship offers[26] and to foster dialogue with immigration authorities and national legislatures to advocate for more student visas and to address attendant concerns. Such efforts could draw on the successful experience of the scholarship programme of the Albert Einstein German Academic Refugee Initiative Fund, operated by UNHCR in cooperation with the German Government.[27]

B. Building opportunities for labour and skills mobility

Recommendation 4
Reduce recruitment costs and abuses of migrant workers

57. Despite the efforts of some labour-sending countries, high fees and fraudulent practices in international labour recruitment remain widespread. The highest costs are those incurred by low-skilled migrant workers, who often take on debt to finance their move, making them vulnerable to exploitation. To address this pernicious problem, I recommend action on the following four fronts:

(a) Help prospective migrants secure financing at non-exploitative rates, for example through partnerships between banks and local non-governmental organizations that make formal financial services more accessible, especially in poor rural areas. For example, in Bangladesh, BRAC has developed a "migration loan" specifically for Bangladeshi migrant workers and their households;[28]

(b) Align national laws, policies and regulations; bilateral and multilateral agreements; and voluntary codes of conduct[29] with the ILO *General principles and operational guidelines for fair recruitment*;[30]

(c) Monitor and enforce compliance with recruitment regulations. Governments should hold employers (at destination) or the principal recruiter (in the country of origin) accountable for violations in their labour supply chain,

[26] For example, the Institute of International Education has established a consortium of colleges and universities providing scholarships for Syrian students. See: Institute of International Education Syria Consortium for Higher Education in Crisis, "Impact and Year Four Plans" (www.iie.org/Programs/Syria-Scholarships/Impact-and-Year-Four-Plans#.V3mnZfkrLIU).

[27] See http://www.unhcr.org/en-us/dafi-scholarships.html.

[28] See https://brac.net/microfinance-programme/item/858-migration-loans.

[29] Existing voluntary codes of conduct and/or certification schemes include: IOM's International Recruitment Integrity System; Verite and Manpower Group, "An Ethical Framework for International Labour Recruitment"; Institute for Human Rights and Business, Dhaka Principles; and the Alliance for Ethical International Recruitment Practices.

[30] See http://www.ioe-emp.org/fileadmin/ioe_documents/publications/Policy%20Areas/migration/EN/_2016-09-20_C-570_ILO_Experts_General_Principles_Operational_Guidelines_for_Fair_Recruitment_draft_.pdf.

including by providing incentives for compliance, such as requiring the employer to demonstrate adherence to labour and recruitment standards as a prerequisite for access to visas for temporary workers.[31] Governments or industry bodies should monitor recruiter performance for a specific migration corridor or sector, for example by maintaining a public database and establishing a transparent rating system to orient employers and migrant workers in their choice of a labour broker;

(d) Promote consolidation and professionalization in the recruitment industry, reigning in the maze of subagents that are often involved, with the aim of turning (public and private) recruiters into comprehensive "one-stop shops" for employers and migrants, offering comprehensive services, including training and skills certification, job placement and travel arrangements.[32]

Recommendation 5
Strengthen the architecture to govern labour mobility

58. The search for employment and higher incomes is driving much of today's migration. Enabling legal migration for the purpose of work will thus be critical for realizing the goal of safe, orderly and regular migration. Countries with growing populations and a surplus of young jobseekers and countries that will soon suffer from labour shortages need to strike a deal.[33] If well developed, this will not only make economic but political sense, too.

59. To that end, I recommend:

(a) Ensuring coherence at the national level between bilateral and regional agreements pertaining to the movement of workers, national labour market policies, migration policies and other relevant policy areas, such as health or agriculture. Key stakeholders, including employers, trade unions, training institutions and migrants, must be consulted in developing labour migration related strategies. In this regard, it is crucial that labour migrants be allowed to form workers' associations and join trade unions;

(b) Forming a global alliance of labour-sending States to advance shared priorities when it comes to negotiating issues such as minimum standards for labour protection and model bilateral labour agreements or return and reintegration;

(c) Working towards a global framework for managing labour migration, including a model employment contract for migrant workers and model bilateral and regional labour migration agreements;

(d) Creating a multi-agency support structure now, in 2017, to facilitate labour mobility and advance consensus building before 2018, drawing on the complementary expertise of ILO, IOM, the Organization for Economic Cooperation

[31] Jennifer Gordon, "Global Labour Recruitment in a Supply Chain Context", ILO, Geneva, 2015 (http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_377805.pdf.).

[32] Philip Martin, "Managing Merchants of Labour: Recruiters and International Labour Migration", Oxford University Press (forthcoming).

[33] A blueprint for how such partnerships could be designed to mutual benefit has been developed by Michael Clemens, "Global Skill Partnerships: A proposal for technical training in a mobile world", Center for Global Development Policy Paper 40, 2014 (http://www.cgdev.org/publication/global-skill-partnerships-proposal-technical-training-mobile-world).

and Development (OECD) and the World Bank to provide States with dedicated expert capacity to facilitate the negotiation, implementation and monitoring of bilateral, regional and (possibly) global agreements on labour migration;

(e) Building on this proposed inter-agency support structure, establish a global multi-stakeholder platform on skills and mobility for employment that would develop and review policies and tools on all aspects of labour mobility, including strategies for skills development, labour and skills matching, recruitment, skills assessment, certification and recognition at all skills levels, negotiation and implementation of labour migration agreements and the portability of earned benefits.[34] With time and sufficient momentum, it could develop a dedicated forum to negotiate labour migration agreements.[35]

C. Ensuring orderly migration, including return

60. Orderly migration depends on providing expanded pathways for legal entry, both for migrants fleeing crisis situations and for those seeking work abroad, as well as on ensuring that would-be migrants have access to information about the opportunities available to them. After arrival, States can promote an orderly process of migration by fostering the inclusion and integration of migrants within host societies (see paras. 64-69 below). For migrants who choose not to stay in the host country or who lack the authorization to do so, an orderly process of migration also requires effective mechanisms for their safe and timely return and reintegration.

Recommendation 6
Improve access to information and visa facilitation

61. All States should set clear and transparent admission targets by visa category, informed by labour market and humanitarian considerations. They should make information about each visa category, such as the conditions of entry, stay and employment, easily accessible by posting them online in different languages, alongside information on the application process. Making it easier to apply for and obtain visas, and granting more multiple entry visas, could help reduce the pressure on aspiring migrants to embark on dangerous journeys.

Recommendation 7
Develop global principles on return, readmission and reintegration

62. Return is an integral part of a functioning migration system, but the way it is currently handled is often detrimental to both migrants and relations among States. Whether people are returning voluntarily, either on their own initiative or with State assistance, or are being forcibly removed, their human rights must be respected.

[34] See also recommendation 8 below. The platform could be modelled on similar inclusive bodies in other fields, for example, the Committee on World Food Security of the Food and Agriculture Organization of the United Nations, relying on a multi-agency secretariat for technical support, and an expert panel feeding labour market related data and research into its discussions (http://www.fao.org/cfs/cfs-home/about/en/).

[35] Lant Pritchett and Rebekah Smith, "Is there a Goldilocks Solution?: 'Just Right' Promotion of Labor Mobility", Center for Global Development Policy Paper 094, November 2016 (http://www.cgdev.org/publication/goldilocks-solution-just-right-promotion-labor-mobility).

Reintegration programmes should be aligned with national and local development strategies and the needs of the communities to which migrants return.

63. I call on States to utilize existing forums such as IOM, the Global Forum on Migration and Development and regional consultative processes on migration to start a dialogue among countries of origin, transit and destination on return practices and standards, with a view to establishing a common understanding and, ultimately, shared principles to govern cooperation on return and reintegration in all regions of the world.

D. Fostering migrants' inclusion and development

Recommendation 8
Ensure access to, and portability of, earned social benefits

64. Portability of earned social benefits is a matter of fairness for migrants and countries of origin and of effective migration policy at destination. Migrants should not be deterred, or made to stay in their host country longer than they want to, simply because they cannot take their social security entitlements with them when they leave. For migrant workers without access to social protection, who are often temporary workers or employed in the informal labour market, portability is out of the question. States should, however, ensure their inclusion in national social protection floors that guarantee all residents a basic level of social security.[36]

65. Promoting the portability of benefits would be a key consideration to be addressed by the proposed multi-stakeholder platform on skills and mobility for employment (see para. 59 (e) above). Working towards the establishment of such a platform, I urge competent international organizations, such as ILO and the World Bank, to intensify their coordination and efforts to help States and insurance industry stakeholders to:

(a) Develop a joint understanding of what portability of social benefits implies;

(b) Explore options for extending social protection by countries of origin to migrants who move temporarily for work related reasons and to their family members who stay behind, including through the establishment of migrant welfare funds;[37]

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[36] See the ILO Social Protection Floors Recommendation, 2012 (No. 202) (www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3065524).

[37] A number of countries of origin in Asia, such as Bangladesh, Pakistan, the Philippines, Sri Lanka, and Thailand, have created migrant welfare funds that provide a range of services to migrant workers, including: pre-departure skills and orientation seminars; loans to meet upfront recruitment costs; emergency repatriation, life and medical insurance; (legal) assistance through specialized wings of embassies and consulates abroad; and reintegration assistance. Some funds extend services to families and communities left behind, including funding for social services, scholarships and financial assistance for families in need. Contributions to the welfare funds come either from a fixed charge to employers, recruitment agencies and/or membership fees by the migrant workers. See Neil G. Ruiz and Dovelyn Rannveig Agunias, "Protecting temporary workers: migrant welfare funds from developing countries", Migration and Development Brief No. 7, World Bank, October 2008 (http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1110315015165/MD_Brief7.pdf).

(c) Improve the design of pension and health care benefits in countries of destination to facilitate their exportability;

(d) Negotiate bilateral social security agreements along key migration corridors and within regional groupings of States; develop a standard template **for such bilateral agreements**; and strengthen the capacities of social security administrations to make agreements function effectively.

Recommendation 9
Improve remittance markets and financial inclusion

66. Remittances have a critical role to play in achieving the first Goal of the 2030 Agenda: End poverty in all its forms everywhere. Ending poverty and improving poor people's resilience to shocks is especially important if they can also become an entry point for financial inclusion. Yet currently, small and fragile States, which tend to be most dependent on remittance flows, have some of the highest remittance fees.

67. I call for a more concerted effort (for instance through a coordinated campaign led by the International Fund for Agricultural Development and the World Bank) to forge operational partnerships among Government policymakers and regulators, financial industry representatives and technology entrepreneurs in order to:

(a) Make it easier for migrants and their families to access financial services, including by extending financial literacy training to remittance senders and receivers; improvements in the regulatory environment could boost the use of technology, such as mobile money, for cross-border remittances;

(b) Foster competition in remittance markets, for instance by ensuring that central banks in remittance-receiving countries adhere to the General Principles for International Remittance Services;[38]

(c) Stop the equation of remittances with money-laundering, in which every remittance transaction (no matter how small) is viewed as a case of "guilty until proven innocent": instead, financial regulators should move towards a risk-based approach, focusing on payments above a certain threshold amount: this is particularly important in order to keep open remittance channels to countries in crisis.

Recommendation 10
Foster inclusion by equipping migrants with a proof of legal identity

68. Millions of people are unable to exercise their basic rights and perform everyday tasks because they have no legal identity, or no way to prove who they are. Sustainable Development Goal 16, under target 16.9, commits States, by 2030, to "provide legal identity to all, including birth registration".

69. I call on international agencies such as the World Bank, UNHCR, UNICEF, the United Nations Development Programme (UNDP) and IOM to work together and with interested national and local governments, private companies and non-profit

[38] Bank for International Settlement and the World Bank, *General Principles for International Remittance Services*, Basel, 2007 (www.bis.org/cpmi/publ/d76.pdf).

actors, in consultation with the Special Rapporteur of the Human Rights Council on the Right to Privacy, to:

(a) Support the efforts of States to introduce universal civil registration and identification systems that assign to all citizens and non-citizens resident in a particular country or city, regardless of their nationality, ethnicity, immigration status or any other characteristic, a unique identification with which to access services and do business.[39] These systems, sometimes initiated on a local level by pioneering municipalities such as New York City, hold great promise for the inclusion of migrants, although due attention must be paid to safeguarding the personal information collected;

(b) Help nascent efforts to explore the feasibility of a truly universal digital identification system[40] that would allow a person to perform transactions or use public or private services across different countries. If linked to important personal information (for example, a birth or marriage certificate, transcripts or vaccination and credit records), such an identification card could reduce the risks of document loss and fraud, family separation during emergencies and the exploitation of migrants by smugglers, traffickers or unscrupulous employers who withhold their passports.

E. Strengthening migration governance capacities

70. All 10 recommendations set forth above start from the assumption that while migration cannot and should not be halted, it can be much better managed than is currently the case. In three areas, the protection of migrants at risk, labour migration and arrangements for return and reintegration, I have made specific suggestions for improving governance. In the final section of the report, I suggest some more general mechanisms through which I believe that objective can be achieved.

Recommendation 11
Invest in State capacities to manage migration

71. We need States not only to adopt the right policies at home, but also to invest in those States and regions whose priorities are aligned but that lack the necessary resources and capacities to put them into effect.

72. To propel a concerted investment in the migration management capacities of States, I call for the establishment of a financing facility for migration, whose purpose will be to channel funding and technical assistance from States, international financial institutions, multilateral development banks and private sector actors to ensure that all States are equipped to fulfil the migration-related commitments they have made in the 2030 Agenda, and which will be further

[39] The most audacious such scheme is the Aadhaar identity number issues by the Unique Identification Authority of India, which provides a unique identification number secured by biometrics to any person residing in the country regardless of their nationality or immigration status in order to facilitate access to government, financial and other services (https://uidai.gov.in/beta/).

[40] For example, the ID2020 initiative aims to develop a technological solution to provide a universal identity for all (http://id2020.org/).

specified in the global compact on migration. Having a global facility would promote coordination between donors and the United Nations and ensure that resources are allocated to those States most affected by migration.

Recommendation 12
Improve data for fact-based migration policies and accountability

73. Better governance hinges on good data and a proper understanding of migration drivers and dynamics. Yet the global community is still struggling to establish basic facts, such as who migrants are, where they are, where they come from and where they have moved to, especially with regard to movements between developing countries. There are a number of avenues we should pursue to get to better data, monitoring and reporting on migration:

(a) Improve our knowledge of migration by implementing the five recommendations of the Commission on International Migration Data for Development Research and Policy:[41] (i) asking basic migration questions in the national censuses and making the data publicly available; (ii) compiling and releasing existing administrative data; (iii) centralizing labour force surveys; (iv) providing access to microdata, not just tabulations; and (v) including migration modules in more existing household surveys.[42] This will require that States and international actors such as the Department for Economic and Social Affairs, IOM, the United Nations Population Fund (UNFPA), OECD, ILO, the World Bank and UNICEF work together and build institutional capacities in developing countries to collect, store, analyse and disseminate migration data;

(b) Clarify the potential of and capitalize on "big data" as a complement to traditional data sources such as population censuses by making a systematic effort to sift through existing experimentation to see what works and can be scaled up.[43] I commend the efforts of the Governments of Belgium and Mali, working with a coalition of international organizations and the Global Partnership for Sustainable Development Data network, to develop an alliance on big data for migration;

(c) Develop tools and capacities to monitor the migration-related Sustainable Development Goals beyond the set of agreed global indicators, endorsed by national statistical offices, for the universal monitoring of the Sustainable Development Goals.[44] I thus propose a robust yet manageable set of tools to measure how well

[41] See http://www.cgdev.org/working-group/improving-migration-data.

[42] For example, the World Bank Living Standards Measurement Study surveys, demographic and health surveys, labour force surveys, household budget surveys and income expenditure surveys. This would allow detailed links to be established between the migration process and human development outcomes for people and households.

[43] For example, the Flowminder Foundation is using cell phone data in various contexts to analyse mobility patterns in relation to factors such as natural disaster and climate change (in Bangladesh) or the spread of infectious disease (in Kenya), with a view to supporting response strategies (http://www.flowminder.org/case-studies/mobile-phone-data-to-understand-climate-change-and-migration-patterns-in-bangladesh;and www.flowminder.org/work/research-innovation). For a brief overview of current uses of "big data" in relation to international migration see Olivia De Backer, "Big data and international migration", 16 June 2014 (http://unglobalpulse.org/big-data-migration).

[44] The official list of Sustainable Development Goal indicators includes eight indicators to monitor migration related targets (http://unstats.un.org/sdgs).

States, and migrants, are doing: a human development indicator for migrants, the IOM Migration Governance Index[45] and a migration-related aid and assistance tracker;

(d) Monitor State performance with regard to rights for people on the move through the creation of an independent global database (maintained, for instance, by a university consortium)[46] containing indicators on the rights that different groups of foreigners (including, inter alia, migrants, tourists and business travellers) are accorded by the laws and regulations of different countries and their actual implementation.

Recommendation 13
Foster inclusive national debate and policy coherence on migration

74. All States should seriously consider establishing some kind of inter-ministerial working group on migration where ministries and agencies can confer among themselves and with relevant stakeholders (including representatives of local governments, the private sector and leaders of immigrant communities) to ensure the alignment of policy goals and objectives as they relate, inter alia, to humanitarian, development, migration, interior and foreign affairs.

75. Parliaments have a clear and important role to play in bringing about a more open and informed public debate on the trade-offs involved in migration policy. I call on the Inter-Parliamentary Union and Parliamentarians for Global Action to work with IOM and other international organizations to educate their constituencies about migration, facilitate international dialogue among parliamentarians on this topic and foster their engagement in the consultations on the global migration compact.

Recommendation 14
Empower cities and local governments

76. Cities around the globe are playing an ever-increasing role in welcoming migrants and are developing the functions and tools required to manage greater diversity. They should be given the power and resources to do this properly. I recommend:

(a) A dedicated initiative for cities and regions,[47] especially those for whom migration and displacement are relatively new phenomena, in order to develop, finance, coordinate, share and pilot good practices in the fields of migration and

[45] See https://publications.iom.int/system/files/pdf/migration_governance_index_2016.pdf.

[46] Martin Ruhs, at Oxford University, has proposed a global migrant rights database (http://priceofrights.com/blog/post.php?s=2013-11-30-the-case-for-a-global-migrant-rights-database#.WBeljSSZ0kx). Columbia University is currently developing a model human mobility treaty that is to cover all forms of movement, from travel for business and tourism over labour migration to forced displacement. In a 2013 initiative, Georgetown Law School published an International Migrants Bill of Rights that compiled existing international law and progressive State practice. The initiative is currently developing indicators to measure the adoption and implementation of these rights.

[47] Such an effort could perhaps build on the work with local governments of the multi-agency Joint Migration and Development Initiative(www.migration4development.org/en).

refugee policy, for instance through a comprehensive management and leadership development programme for city administrations;[48]

(b) Representatives of local authorities should be systematically included in national delegations at international meetings on migration, including the Global Forum on Migration and Development, United Nations high-level dialogues and the 2018 intergovernmental conference on migration;

(c) To enable local leaders to play their part, I call for continued support for the annual meetings of the Mayoral Forum on Mobility, Migration and Development[49] as a venue where local leaders can be informed of, and influence, global intergovernmental discussions with a bearing on migration and refugee policy.

Recommendation 15
Repurpose the Global Forum on Migration and Development

77. As migration becomes more firmly anchored in the work of the United Nations, the Global Forum on Migration and Development will face inevitable questions regarding its continued purpose and added value. I propose that, in the immediate future, the Global Forum serve to support consensus-building on an ambitious global compact on migration and to advance the implementation of the migration-related commitments in the 2030 Agenda. The Forum could be a place where Governments and other stakeholders report on their efforts to fulfil their Sustainable Development Goal commitments and also serve as a platform to facilitate partnerships to deliver on these commitments, the results of which should feed into the work of the high-level political forum on sustainable development, the United Nations body designated to review progress towards achievement of the Goals. To that end, the Global Forum on Migration and Development should consider adopting a multi-year programme of work, equipping itself with a more robust secretariat and strengthening its role as a policy review body that helps States assess and evaluate the effectiveness of their policy choices more systematically. It may also want to consider governance reforms to encourage genuine joint ownership by States, civil society and the private sector.

Recommendation 16
Strengthen United Nations leadership and capacities on migration

78. The large-scale refugee crisis triggered by the war in the Syrian Arab Republic has painfully exposed the longstanding need for the United Nations to have

[48] Bloomberg Harvard City Leadership Initiative, funded by a $32 million gift from Michael R. Bloomberg and administered through Harvard University, the Initiative will equip city leaders with the tools, skills and support increasingly required to tackle the complex leadership and management challenges faced in governing cities around the globe (http://ash.harvard.edu/news/bloomberg-philanthropies-and-harvard-university-launch-bloomberg-harvard-city-leadership).

[49] Launched in 2013 at the High-level Dialogue on International Migration and Development, the Mayoral Forum on Mobility, Migration and Development is an annual, city-led, global convening of mayors intended to share new and innovative approaches to urban governance in contexts of greater diversity. The Mayoral Forum is supported by the United Nations Institute for Training and Research (UNITAR), IOM, the World Bank, the Joint Migration and Development Initiative and the Swiss Agency for Development and Cooperation (http://blogs.worldbank.org/peoplemove/local-leaders-cooperating-internationally-migration).

integrated strategies for dealing with people on the move — including internally displaced persons, refugees and migrants, taking into account humanitarian, development and security concerns. This was the clear message from the World Humanitarian Summit in May 2016 and the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants in September 2016.

79. With IOM now formally part of the United Nations system, I see a real opportunity to spell out what leadership will require in this field: drawing on the expertise of the system's parts, but also establishing clearer lines of authority to the Secretary-General. There is no question that IOM, whose mandate covers migration writ-large, and UNHCR, which is more narrowly focused on refugees and stateless persons, will be the natural anchors of the Organization's strategy and institutional architecture on international migration (in all its forms) going forward. Both have vastly more resources, expertise and accumulated experience on these issues than any other entity within the system and should thus be the "centre of gravity" around which consultation and coordination are organized.

80. IOM brings with it vital operational capacities on migration, which the United Nations system has hitherto lacked. It must now expand its capacity to give advice on policy, including through increased research capability, the seeds of which have been laid through the establishment, in 2015, of the IOM Global Migration Data Analysis Centre in Berlin, and which could be modelled on the UNDP Human Development Report Office. IOM should also review and strengthen its role in facilitating policy dialogues.

81. A strong IOM-UNHCR team is indispensable, especially to steer the United Nations response to mixed migration flows and large, crisis-related movements (for example, through a joint programme on migrants in vulnerable situations, based on the guiding principles to be developed) and to co-lead the coordination of the work of the United Nations system on migration issues, with the support of the Global Migration Group. The Group itself must play a more direct role in supporting the work of the United Nations at the country level, promoting joint programming and resource mobilization, developing policies and programming guidance, training materials, and indicators for the monitoring of results.

82. Looking ahead, I see five core areas where a thus strengthened United Nations system must aim to perform better.

Anticipate and respond quickly to movements in a crisis

83. Planning on the assumption that crisis-related movements will be the "new normal", we must fill the gaps in the protection chain, including through joint analysis and early intervention by a strong IOM-UNHCR team working together to ensure that the protection needs of migrants and refugees are identified and addressed as early and as close to their country of origin as possible.

Speak with one voice to deliver political messages

84. Intensifying coordination around a smaller circle of entities that are actively engaged in migration-related issues, including a strong IOM and UNHCR team, joined, as needed, for example by the Department for Economic and Social Affairs,

ILO and the United Nations Office on Drugs and Crime, should allow the United Nations system to speak with one voice when specific migration and displacement situations and challenges demand it, sending clear and coherent messages both from Headquarters and at the country level.

Support and monitor implementation of the commitments contained in the Sustainable Development Goals

85. The United Nations must help countries translate global commitments into national targets and strategies, and develop the metrics by which States and others can measure success. The Global Migration Group has a key role to play in this regard. In this report, I have also argued for a funding facility, a manageable set of indicators and the purposing of the Global Forum on Migration and Development as a platform for reporting on implementation of the Sustainable Development Goals and for brokering partnerships to ensure they are attained.

Support "soft law" development and the formulation of common standards

86. There are several policy areas where progress could be made through State-led efforts to define common standards and principles to guide their conduct, including when it comes to dealing with "migrants in vulnerable situations", managing labour and skills mobility and the return and reintegration of migrants. The United Nations can help jumpstart and facilitate the development of such normative processes.

Work towards the conclusion of new, issue-specific treaties

87. In instances where States show an appetite for progress in this direction, the United Nations can help support them in moving from informal processes to the conclusion of formal treaties, including on the treatment of migrants in vulnerable situations; abusive recruitment processes; or international transfers of funds and benefits. The global compact on migration could bundle agreed norms and principles into a global framework agreement with both binding and non-binding elements and identify areas in which States may work together towards the conclusion of new international norms and treaties.

IV. Conclusion

88. The aim of the present report has been to show that migration need not be a source of fear and conflict, within nations or between them. I believe we can correct negative stereotyping of migrants and misinformation about migration, not least through the concerted effort of the TOGETHER campaign;[50] that we can make it easier to move in a regular and orderly manner; that we can protect migrants' safety,

[50] TOGETHER is a global campaign launched by the Secretary-General that aims to change negative perceptions and attitudes towards refugees and migrants, and to strengthen the social contract between host countries and communities, and refugees and migrants. Launched at the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants in 2016, TOGETHER is implemented in partnership with Member States, the private sector and civil society and will run until 2018, when States are expected to adopt the global compact on refugees and the global compact for safe, orderly and regular migration (http://refugeesmigrants.un.org/together).

including in times of crisis; that we can, through shrewd investments, reduce the costs of migration while maximizing its benefits; that migrants can be included in the economic and social progress of all our societies, rather than being left behind; and that States can work together and not against each other in managing migration; in short, that our societies can acquire the knowledge and capacities they need to manage migration well.

89. But none of this can be achieved without trust: trust among governments, as well as between governments and their constituents. At present, this is sorely lacking. In fact, at no time in recent history have the bonds of trust been so frayed, particularly on issues surrounding migration, about which the general public is fearful and badly informed. In such an environment, progress can be made only incrementally. That is why I suggest tackling problems at the lowest level of governance, where they can be solved. Sometimes that means the local or national level, but on some issues States need to work together, bilaterally, at the regional or even the global level, seizing on the initiatives of pioneers and champions, and working through what has been called "minilateralism",[51] whereby small groups of interested States work together to develop and implement new ideas that can then be debated, and perhaps adopted, in more formal settings.

90. Attending to the concerns of those who feel threatened by migration is necessary if we are to avoid destructive reactions and achieve sustainable results. Confrontation will get us nowhere. Progress on international cooperation in this area must take the interests of all legitimate actors into account. As long as there are stakeholders for whom the system is not working, they will at best ignore it or worse, undermine it. Listening to each other, seeking tirelessly to identify shared goals and agree on paths for reaching them, will — I am convinced — enable us to find solutions that hold out hope for us all.

[51] Moses Naim, "Minilateralism", *Foreign Policy*, 21 June 2009 (http://foreignpolicy.com/2009/06/21/minilateralism/).

Annex

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